

+Minutes of the Maine Real Estate Commission

December 15, 2005

MEMBERS PRESENT

Earl Black
David Kitchen
Susan Lewis Hodgkins
Sharon Millett
Jeffrey Mitchell
Winfred Stevens

STAFF PRESENT

Carol Leighton, Director
Karen Bivins, Deputy Director
Judy Brown, Examiner
Marilyn Lugner, Education Coordinator
Robert Perkins, Assistant Attorney General
Susan Greenlaw, Secretary

MEMBERS ABSENT

Location: Central Conference Room

Start: 9:00 a.m.

Adjourn: 4:45 p.m.

Agenda Modifications

A motion was made by Jeffrey Mitchell and seconded by Earl Black to add the following to the agenda. Unanimous.

- I. Proposed Consent Agreement
 - A. #2005-REC-2071
- II. Proposed Dismissal
 - A. #2005-REC-69

Commission Minutes

A motion was made by Earl Black and seconded by Jeffrey Mitchell to approve the minutes of the November 10, 2005 and November 17, 2005 meetings as written. Unanimous.

Commission Decisions and Orders

A motion was made by David Kitchen and seconded by Earl Black to accept the Decision & Order in the matter of Director v. John H. Morrison. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

A motion was made by David Kitchen and seconded by Earl Black to accept the Decision & Order in the matter of Director v. Joseph E. Moore with a minor typographical error. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Decision & Order in the matter of Director v. Jeffrey C. Irving. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

A motion was made by Earl Black and seconded by Susan Lewis Hodgkins to accept the Decision & Order in the matter of Director v. Peter J. Perry. Black, Hodgkins, Kitchen, and Stevens voted in the affirmative; none opposed; Millett and Mitchell abstained. Motion carried.

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to accept the Decision & Order in the matter of Director v. Peter P. Pushor. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to accept the Decision & Order in the matter of Director v. Will R. Teel. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

License Denial Appeal Hearings

The Chair opened the hearing in the matter of Paul S. Bennett v. Director. Bennett was present. The Director was present and represented by Assistant Attorney General Robert Perkins. Public deliberations were conducted at the close of the hearing. A motion was made by David Kitchen and seconded by Jeffrey Mitchell to overrule the denial and grant the Sales Agent license. Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; Black and Millett opposed. Motion carried.

The Chair opened the hearing in the matter of Judith E. Evans v. Director. Earl Black and Susan Lewis Hodgkins recused and left the room. Evans was present. The Director was present. Assistant Attorney General Robert Perkins attended as Commission counsel. Public deliberations were conducted at the close of the hearing. A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to overrule the denial and grant the Broker license. Kitchen, Mitchell, and Stevens voted in the affirmative; Millett opposed. Motion carried.

The Chair opened the hearing in the matter of Stephen Hammond v. Director. Hammond was present. The Director was present. Assistant Attorney General Robert Perkins attended as Commission counsel. Public deliberations were conducted at the close of the hearing. A motion was made by Jeffrey Mitchell and seconded by Earl Black to overrule the denial and grant the Broker license. Black, Hodgkins, Kitchen, Mitchell, and Stevens voted in the affirmative; Millett opposed. Motion carried.

Dismissed Complaints

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to accept the Proposed Dismissals in case numbers 2004-REC-66, 2004-REC-84, 2004-REC-86, 2005-REC-27, 2005-REC-143. Unanimous.

2005-REC-111 (Black recused and left the room): A motion was made by David Kitchen and seconded by Jeffrey Mitchell to accept the Proposed Dismissal. Hodgkins, Kitchen, Millett, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

2005-REC-69 (Stevens recused and left the room): A motion was made by David Kitchen and seconded by Jeffrey Mitchell to accept the Proposed Dismissal. Black, Hodgkins, Kitchen, Millett, and Mitchell voted in the affirmative; none opposed. Motion carried.

Proposed Consent Agreements

A motion was made by Winfred Stevens and seconded by Earl Black to accept the Proposed Consent Agreements in case numbers 2005-REC-2010, 2005-REC-2055, and 2005-REC-2071.

Correspondence

Donna Hall – Request for Extension to Pay Fine: A motion was made by David Kitchen and seconded by Earl Black to grant the request for an additional 90 days to pay the fine. Unanimous.

Proposed Rule Amendments

Chapters 320, 330, 360, & 390: The Commission discussed the fifth drafts of Chapters 320 and 330 as well as drafts of Chapters 360 and 390. New drafts will be prepared for discussion at the January 11, 2006 meeting.

Proposed Brokerage Disclosure Form #3: Discussed changes for review at the January 11, 2006 meeting.

Pre-License Course Review Committee Recommendations

Pre-License Education Ad Hoc Group Recommendations – Sales Agent and Associate Broker Course Outlines: Tabled to January 11, 2006.

Maine Association of Realtors – Alternate Proposal for New Sales Agent Course Outline: Tabled to January 11, 2006.

Role of the Designated Broker- Elaine Richer Proposal for Amendments to the Course Outline: Tabled to January 11, 2006.

Director's Report

Nothing to report at this time.

Election of Chairman and Vice Chairman 2006

A motion was made by Sharon Millett seconded by Jeffrey Mitchell to appoint Winfred Stevens as Chair and David Kitchen as Vice-Chair for 2006. Unanimous.

Commission Meeting Schedule – 2006

See attachment.

Next Meeting Scheduled for January 11, 2006

The meeting was adjourned at 4:45 p.m.

This report respectfully submitted,

Sharon A. Millett
Chairperson

Carol J. Leighton
Director

**REAL ESTATE COMMISSION
2006 MEETING SCHEDULE**

DATE	TIME	LOCATION
January 11, 2006	9:00 AM	Board Room
February 16, 2006	9:00 AM	Central Conference Room
March 23, 2006	9:00 AM	Central Conference Room
April 20, 2006	9:00 AM	Central Conference Room
May 18, 2006	9:00 AM	Central Conference Room
June 15, 2006	9:00 AM	Central Conference Room
July 20, 2006	9:00 AM	Central Conference Room
August 17, 2006	9:00 AM	Central Conference Room
September 21, 2006	9:00 AM	Central Conference Room
October 19, 2006	9:00 AM	Central Conference Room
November 16, 2006	9:00 AM	Central Conference Room
December 14, 2006	9:00 AM	Central Conference Room